

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

**V.**

**BRIAN WILSON a/k/a Fudayl WAKIM, and  
MARK BOWER a/k/a Kenneth FLOWERS,**

**Defendants.**

Crim. No. 16-93-LPS

# MEMORANDUM ORDER

At Wilmington this **11th day of September, 2018**, having considered Defendant Mark Bower a/k/a Kenneth Flowers's ("Flowers") Motion In Limine to Foreclose Improper Interpretation of Alleged Coded Language (D.I. 212) and the Government's Omnibus Motion In Limine (D.I. 218), as well as any opposition thereto, **IT IS HEREBY ORDERED** that:

1. Defendant Flowers's Motion In Limine to Foreclose Improper Interpretation of Alleged Coded Language (D.I. 212) is **DENIED AS MOOT**;
2. The Government's Omnibus Motion In Limine to Exclude Certain Criminal History Evidence of Cooperators (D.I. 218 at 16-18) is **GRANTED IN PART**, except as to Cooperator 1's charges that were nolle prossed/dismissed, the objection to which has been noted and the ruling on which will be **DEFERRED**;
3. The Government's Omnibus Motion In Limine to Recall Case Agent Shawn Haney to the Witness Stand (D.I. 218 at 22-23) is **GRANTED**, subject to the Government providing Defendants with a good faith expectation of the scope of each time Mr. Haney is called to testify and advance notice of the last time that Mr. Haney will be called to testify;

4. The Government's Omnibus Motion In Limine to Prohibit Electronic Devices in the Courtroom (D.I. 218 at 23-24) is **GRANTED** and the Government is directed to notify the United States Marshals of this Order;

5. The Government's Omnibus Motion In Limine to Address Defendant Brian Wilson as Fudayl Wakim and Defendant Mark Bower as Kenneth Flowers (D.I. 218 at 24) is **GRANTED**.

**IT IS FURTHER ORDERED** that trial in this case will proceed as follows:

- a. Counsel and Defendants are to appear on Monday, September 17, 2018 at 9:00 AM for jury selection, which will begin at 9:30 AM;
- b. Counsel and Defendants are to appear on Thursday, September 20, 2018 at 8:30 AM and trial will proceed from 9:00 AM to 5:00 PM, except for a lunch break from 12:00 PM to 1:00 PM;
- c. Counsel and Defendants are to appear on Friday, September 21, 2018 at 8:30 AM and trial will proceed from 9:00 AM to 5:00 PM;
- d. Counsel and Defendants are to appear on Monday, September 24, 2018 at 8:30 AM and trial will proceed from 9:00 AM to 5:00 PM;
- e. Counsel and Defendants are to appear on Tuesday, September 25, 2018 at 8:30 AM and trial will proceed from 9:00 AM to 3:45 PM;
- f. Trial will not be held on Wednesday, September 26, 2018;
- g. Counsel and Defendants are to appear on Thursday, September 27, 2018 at 9:45 AM and trial will proceed from 10:00 AM to 5:00 PM;

h. Counsel and Defendants are to appear on Friday, September 28, 2018 at 8:30 AM and trial will proceed from 9:00 AM to 5:00 PM;

i. Counsel and Defendants are to appear on Monday, October 1, 2018 at 8:30 AM and trial will proceed from 9:00 AM to 5:00 PM;

j. Counsel and Defendants are to appear on Tuesday, October 2, 2018 at 8:30 AM and trial will proceed from 9:00 AM to 5:00 PM;

k. Except where otherwise noted, there will be a one-hour lunch break at a convenient time, as well as an approximately 15-minute break in the morning and an approximately 15-minute break in the afternoon, each day.



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HONORABLE LEONARD P. STARK  
UNITED STATES DISTRICT JUDGE